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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/575,033	05/19/2000	Pekka Mottonen	872.8708.USU	1031
29683	7590	06/06/2005	EXAMINER	
HARRINGTON & SMITH, LLP			MEHRA, INDER P	
4 RESEARCH DRIVE			ART UNIT	
SHELTON, CT 06484-6212			PAPER NUMBER	
			2666	

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/575,033

Applicant(s)

MOTTONEN ET AL.

Examiner

Inder P. Mehra

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3, 7, 12 and 14 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-6, 8-11 and 13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 May 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/4/06
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This is in response to response to amendment dated: 5/6/2005. Claims 1-14 are pending.

***Information Disclosure Statement***

2. IDS statement dated 10/4/2000, enclosed with office action dated: 7/14/2004, was not considered. This has been considered now.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1-2, 4-6, 9-10, and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by over (“3-Carrier Compact Proposal, revision 1.0, ETSI SMG2 Working Session on EDGE, May 17-19, 1999, Paris, France, Source: UWCC, PP, 1-16, hereinafter, “3-Carrier Compact Proposal”

For claims 1, 5, 10, and 13, 3-Carrier Compact Proposal discloses a method for enabling introduction of a 200khz GSM-type network----- GSM-type network, refer to abstract, introduction and paragraph 2 at page 2;

- providing a 52-multiframe (refer to paragraph 4 at page 3) containing 12 blocks of four consecutive frames (refer to 4/12 reuse (rotating) 4 time groups in sub-paragraph 2 at page 4), two idle frames, and two channels used for control channel purposes (control signaling, refer to sub-paragraph 3 at page 4);

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- rotating control channels belonging to a serving time group over every other time slot number (If using an effective 3/9 reuse for control signaling , 3 time groups are used with control on TN1, TN3, and TN5.) , refer to sub-paragraph 2 on page 4 and sub-paragraph 6 on page 5.

For claims 2, 6, 9-11 and 13, “3-Carrier Compact Proposal” discloses the rotation occurring over odd time slot numbers as 7, 5, 3, 1, 7, 5-----etc. and where the rotation occurs between frame numbers  $(FN) \bmod 52 = 3$  and 4, refer to paragraph 4 and “If using an effective 3/9 reuse for control signaling , 3 time groups are used with control on TN1, TN3, and TN5..” in second paragraph on page 4.

For claims 4 and 8 , 3-Carrier Compact Proposal discloses, information specifying at least the rotation direction is signaled to the mobile station in a downlink synchronization channel, refer to ( a mobile will, ----synchronization burst) paragraph 8 at page 5.

***Allowable subject Matter***

5. Claims 3, 7, 12 and 14 are allowed.
6. The following is an examiner’s statement of reasons for allowance:  
  
As recited by claims 3, 7, 12 and 14,  
  
wherein a mapping of the control channels on timeslot numbers is defined by the following formula: For  $OXFN \bmod 52S3, rN = ((6x((FN \div 52) \bmod 4)) + 1 + (2xTG)) \bmod 8$ ; and For  $45 > \bmod 52S51, TN = ((6x((FN \div 52) \bmod 4)) + 7 + (2xTG)) \bmod 8$ , where TG is a time group value.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Response to Arguments***

7. Applicant's arguments filed 9/20/04 have been fully considered but they are not persuasive.

Applicant argues, "Rotation of time slots per se is not mentioned in sub-paragraph 6. In fact, a mention of a rotation of timeslots or timeslot number **is not found in the document** 3-carrier Compact Proposal.

Applicant, further, argues, "The Examiner again notes some superficial similarities between the claimed invention and the 3-carrier Compact Proposal, such as the use of a 52-multiframe and time groups. However, the Examiner goes on to equate the description at sub-paragraph 2 of page 4, and sub-paragraph 6 at page 5 of the 3-carrier Compact Proposal with the claimed subject matter "rotating control channels belonging to a serving time group over every other timeslot number" found in the independent claims 1 and 5. It is again respectfully submitted that this is simply not the case.

In response, it is stated that "3-Carrier Compact Proposal" discloses, "52-multi-frame structure" on page 3, paragraph 4 line 18; and further discloses, " If using an effective 3/9 reuse for control signaling , 3 time groups are used with control on TN1, TN3, and TN5.) , refer to sub-paragraph 2 at page 4 and sub-paragraph 6 at page 5". The sentence, "reuse for control

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signaling” has been interpreted as “rotating control channels. Further, it is stated that this paragraph reads on the limitation recited in the claims. TN1, TN3 and TN5 are **non-sequential, alternate time slot numbers within a frame.**

In continuation, it is ,further, stated that **Jyrkka et al** (US Patent No. 6,587,695) in the admitted prior art (Background section) discloses “ An Enhanced Packet Radio System (EGRPS) compact control channel solution introduces a discontinuously transmitting rotating control channel. This control channel solution makes it possible to deploy a GSM system with less than a one MHz bandwidth in a synchronous network.”

**In light of above explanation, arguments by applicant are not persuasive.**

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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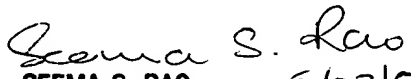
***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Inder P. Mehra whose telephone number is 571-272-3170. The examiner can normally be reached on Monday through Friday from 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Inder P Mehra  
Examiner  
Art Unit 2666

  
SEEMA S. RAO 5/27/05  
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